

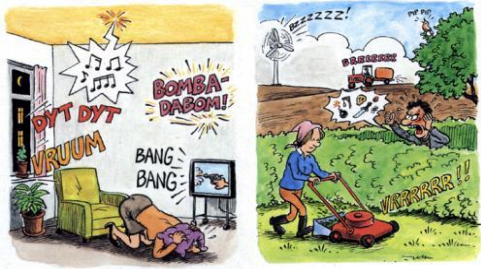
## How Does an Address Get CAPP'd?

There are a few ways that a location gets CAPP'd:

- Anytime a Second Response Notice is issued to a party
- Two or more First Response Notices issued within a 30 day period
- A single 'minor in possession of alcohol' citation issued at a party
- A single 'keg violation' citation issued at a party

## REPORTING NOISE OR LOUD PARTY

To report a loud party or noise in progress, call the police department at (619) 531-2000 or (858) 484-3154



## CIVIL ACTION OPTIONS

Sometimes for various reasons, the local government will NOT be able to assist. In those situations, citizens can proceed themselves, in court, to force compliance.

The basis of the potential lawsuit is California State Law, Civil Code Sections 3479-3484, which state: [www.leginfo.ca.gov/calaw.html](http://www.leginfo.ca.gov/calaw.html)):

**Section 3479** - *"Anything which interfere[s] with the comfortable enjoyment of life or property is a nuisance"*

**Section 3480** - *"A public nuisance is one that affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal."*

**Section 3484** - *"The abatement of a nuisance does not prejudice the right of any person to recover damages for its past existence."*

The lawsuit can process through Small Claims Court, which has advantages of speed and cost.

## Additional Resources

Environmental Services  
(858) 694-7000

Vehicle Abatement  
(858) 495-7856

Animal Control  
(619) 236-4250

Neighborhood Code Compliance  
(619) 236-5500

National Conflict Resolution Center  
(formerly SD Mediation Center)  
(619) 238-2400

## SDPD DIVISIONS

For general information please contact your local police substation.

Division	Phone #
Central	(619) 744-9500
Eastern	(858) 495-7900
Mid-City	(619) 516-3000
Northeastern	(858) 538-8000
Northern	(858) 552-1700
Northwestern	(858) 523-7000
Southeastern	(619) 527-3500
Southern	(619) 424-0400
Western	(619) 692-4800



## SAN DIEGO POLICE DEPARTMENT

## Chronic Party Houses and Other Neighborhood Nuisances

### Brochure Topics

- Chronic Party Houses
- Neighborhood Nuisances
- CAPP
- Reporting Procedure
- CIVIL Action Options

## NOISE

You have the right to the peace and enjoyment of your own home.

Most municipalities view noise complaints as a quality of life issue, but for people exposed to noise on a constant basis - it is a form of assault. They feel they are the only one suffering and often feel helpless and trapped in their own homes and apartments.

People who create or allow noise to intrude on a neighbor are indifferent to the rights of others. It is a form of passive aggressive behavior. Where children and teenagers are involved, parents need to set clear examples of appropriate behavior. Businesses are responsible for their environmental impact on the community.

### CAPP

The Community Assisted Party Program is a partnership between the police department and community residents.

Late night & loud parties are disruptive to neighbors. They generate complaints to the police, which take up valuable resources to investigate.

Multiple and/or chronic complaints concerning the same location are a severe drain on limited police resources, as well as an unreasonable nuisance to neighbors.

The police do not wish to discourage parties, but rather encourage party hosts to be responsible and considerate of their neighbors.

*Under California Penal Code Section 415.(2) "Any person who maliciously and willfully disturbs the peace of another person by loud and unreasonable noise" is guilty of a misdemeanor punishable by imprisonment in jail and a fine of \$400.00.*

*Under San Diego Municipal Code 51.1004, "The person(s) responsible for the event may be held liable for the cost of providing police services...up to \$500.00."*

### How Does This Affect Me?

Police identify party locations primarily through radio calls initiated by citizen complaints. These complaints are due to noise, crowds, late hours, and party duration.

Problem parties often lead to fights, public intoxication, public urination, illegal parking, DUI, and vandalism to nearby properties. When police respond to a party in progress, they generally will contact the host, advise them of the problems they are creating, and issue a First Response Notice. This notice is a written "warning" to the host that the party is unreasonably disruptive and the host must take immediate steps to control the situation.

### The First Response Notice initiates the CAPP process.

What Happens After a First Response Notice?  
First Response Notices are tracked by computer.  
A second response to the address may result in the host being charged for the full cost of the police resources used during the second response.  
The cost recovery expense is in addition to all other enforcement options, including arrest, impounding of stereo & amplifier equipment, kegs, etc.

**NOTE: CAPP is a program used in Northern and Eastern Division**

## What Is The CAPP Process?

When a location is CAPP'd, contact is made with the residents and the property owner. All parties are notified that their address has been deemed a chronic problem party location.

The CAPP designation will remain in effect for one year.

Locations with a CAPP designation become subject to zero tolerance for any future disruptive parties. The address is flagged in the dispatch computers, and officers responding to future violations are pre-advised of the problem history.

Upon arrival, officers will take maximum enforcement of any and all observed violations.

